Tab 14

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· 1. IN THE UNITED STATES DISTRICT COURT 1 FOR THE WESTERN DISTRICT OF PENNSYLVANIA 2 3 VALERIE W. WAKEFIELD, : Civil Division Plaintiff, 4 : Civil Action 5 No. 05 CV 79 - Erie 6 VS. 7 JOY MINING MACHINERY COMPANY, a division of Harnischfeger Industries, : 8 Defendant. : Honorable Maurice B. 9 Cohill, Jr. 10 Deposition of : DIANE KEMICK 11 12 Date September 20, 2006 commenced at 1:20 p.m. 13 Franklin Club Place 1341 Liberty Street 14 Franklin, PA 15 16 APPEARANCES: 17 18 FOR THE PLAINTIFF: ALEXANDER H. LINDSAY, JR., ESQ. The Lindsay Law Firm, P.C. 19 128 South Main Street Butler, PA 16001 20 21 FOR THE DEFENDANT: PAMELA G. COCHENOUR, ESQ. 22 Pietragallo, Bosick & Gordon The Thirty-eighth Floor 23 One Oxford Centre Pittsburgh, PA 15219 24 25

6 question before you give your answer. Number 1 2 one, you don't know what the question is and number two, she can't take us both down at the 3 same time. Okay? 4 5 Α. Okay. Where do you work, ma'am? 6 7 Α. Joy Mining Machinery. And what do you do with Joy Mining Machinery? 8 Ο. 9 I'm a Human Resource Representative. Α. 10 How long have you held that position? Q. 11 Α. Eight years. And what is that position? What do you do? 12 Ο. 13 My main function as an Human Resource Α. Representative is to administer the benefits 14 15 program at Joy. 16 Okay. Does your -- I guess, do you have a job Q. 17 description? If I use that term, do you know what I'm talking about? 18 I'm sorry? 19 Α. All right. Does your job include in any way 20 evaluating, dealing with, administering sexual 21 harassment claims? 22 I do not believe the job description specifically 23 Α. mentions that. That's kind of one of those 24

included duties as included.

25

- Q. What did that involve?
- 2 A. It involved two men at the chain plant.
- 3 Q. At the what plant?
- 4 A. The chain plant.
- 5 Q. All right.
- A. One of the men was writing offensive notes to the other employee's wife.
- Q. I see. Was there a disciplinary process for the employee in question?
- 10 A. I was not involved in the case. I was aware of
 11 some of things about it, but I wasn't directly
 12 involved in that case.
- Q. All right. Did you ever have any discussions with Larry Meade outside of those discussions where Mr. Maritz was present?
- 16 A. About the Wakefield claim?
- 17 Q. About the Wakefield claim.
- 18 | A. At any period of time?
- 19 Q. At anytime.
- A. There was one discussion in April of this year that I met with Mr. Meade just to make sure that he was -- he remembered that he was not to have any contact with Valerie and to check on his progress to see if things were going well.
- 25 Q. Any other discussions with him other than that

one discussion this year?

- A. He called me on the phone one time and that would have probably been this year as well and said that he -- one of our executives was visiting the building and the executive had passed out and they called for Larry as an EMT. Larry wanted me to be aware of the fact that he had left his work area and was in what was considered to be Val's area to resuscitate this person. He said he had not seen Valerie, but he just wanted HR to be aware of the fact that he was in that area. That was the only other time I can remember speaking with Mr. Meade.
- Q. All right.

MR. LINDSAY: That's all I have.

MS. COCHENOUR: I have no questions. We'll read. Thank you.

20 (Deposition concluded at 1:40 p.m.)

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